Supreme Court, U.S.
FILED

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OFFICE OF THE CLERK

IN THE SUPREME COURT OF THE UNITED STATES OF AMERICA

JAMES D. BOSWELL, Individually and on behalf of all others similarly situated; VANESSA LACE BOSWELL, Individually and on behalf of all others similarly situated; SHAUNA MROSKI, Individually and on behalf of all others similarly situated

Plaintiffs-Appellants-Petitoner

v.

BOARD OF TRUSTEES TEXAS CHRISTIAN UNIVERSITY (individual members (in their official capacities only); GEORGE BUSH, Governor, individual and official capacity; DANIEL JAMES, Major General, Adjutant General of Texas, LOUIS CALDERA, Secretary of the Army, National Guard Bureau Agency,

Defendants-Appellees-Respondent

PETITION FOR A WRIT OF CERTIORARI TO THE U.S. COURT OF APPEALS FOR THE FIFTH CIRCUIT

MOTION FOR LEAVE TO FILE WRIT OF CERTIORARI IN VETERAN STATUS

Rule 40 authorizes a military service member to proceed as a veteran. The attached declaration provides the necessary justification for approval of this motion. According to rule 40, the motion shall proceed and be attached to each copy of the petition for writ of certiorari.

Respectfully,

Jim Boswell
PRO SE
414 Morrison Drive
Euless TX 76039
817 358 9911

Statement of Declaration to the Clerk of the Court
Supreme Court of the United States
1 First Street, N. E.
Washington, DC 20543

I am James Boswell. I reside at 414 Morrison Drive, Euless TX 76039 and may be reached by fax 817 358 0291 or email JBosRanger@aol.com.

this date, 7 December 2001, I certify that per the final Army agency order dated 6 December 2000 that I was recently retired from the military involuntary and that I have a DD form 214 affording me retroactive retirement from active duty effective June of 1993 in the grade of Army Major. I am a Vietnam Era Veteran and earned a regular army officer commission June of 1973.

Rule 40 authorizes a military service member to proceed as a veteran and be accommodated by a declaration setting out the moving party's status. Appellant is suing to establish reemployment rights under provisions of federal and state WPA and retaliation law according to provisions in rule 40 (1).

James Boswell

James D. Boswell
PRO SE
414 Morrison Drive
Euless TX 76039
817 358 9911

CERTIFICATE OF PROOF OF SERVICE FOR MOTION TO LEAVE IN THE SUPREME COURT OF THE UNITED STATES

JAMES D. BOSWELL, Individually and on behalf of all others similarly situated; VANESSA LACE BOSWELL, Individually and on behalf of all others similarly situated; SHAUNA MROSKI, Individually and on behalf of all others similarly situated

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PETITION FOR A WRIT OF CERTIORARI TO THE U.S. COURT OF APPEALS FOR THE FIFTH CIRCUIT

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH

USDC No. 4:00 - CV-1526-Y, Fifth Circuit N0 00-11360 and USDC No. 4:98-CV-168-Y No-00-10698

I do declare this MOTION was served by certified priority mail, return receipt requested to Texas Christian University Defendants is Richard De Berry, McDonald and Sanders, 1300 Continental Plaza, 777 Main Street, Ft Worth Texas 76102 (817 336 8651) and for United States Defendants is Wayne Hughes, Jr. Assistant United States Attorney, 801 Cherry St. Suite 1700, Ft Worth Tx 76102-6897 (817 252 5200), and for Texas Government employees, Mr. Peter J. Strelitz, Capitol Station, PO Box 12548, Austin Texas, 78711-2548 (512 463 2120) on this date 7 December 2001. I declare under the penalty of perjury that the forgoing is true.

James Boswell

James Douglas Boswell, Pro Se
414 Morrison Dr.
Euless TX 76039
817 358 9911 fax 817 358 0291